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Attention: USPTO
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Examiner: Michael J. Fisher
　　　　　　 Art Unit 3629
Fax number: 571-273-8300

From: Paul R. Katterle

Fax number: 440-585-7578

No. pages incl. this cover sheet: 32

Telephone number: 440-585-7968

Date: September 6, 2007

MESSAGE:

Re:　U.S. Patent Application Serial No. 10/037,389
　　　　Entitled:　　"Programmable Timer Module System"

　　　　Attached, please find an Appeal Brief (26 pages), associated drawings (4 pages) and a copy of the front page of the Appeal Brief for fee payment purposes.

　　　　　　Respectfully submitted,

　　　　　　[signature]
　　　　　　Paul R. Katterle

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on the date indicated below.

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September 6, 2007　　Paul R. Katterle
Date　　　　　　　　　Printed Name of Person

****

<div align="right">PATENT</div>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert A. Southworth et al.	
Assignee :	ABB Inc.	
Serial No.:	10/037,389	Art Unit: 3629
Filed:	January 4, 2002	Confirmation No.: 7346
Title:	Programmable Timer Module System	
Examiner:	Michael J. Fisher	Docket No.: 647-015.01

APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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81 FC:1402   588.88 DA

Dear Sir:

    In response to a Final Office action dated April 6, 2007 and pursuant to the Notice of Appeal filed on July 6, 2007, Applicant submits the following Appeal Brief. The date for filing the Appeal Brief expires on September 6, 2007. Please charge the $500 fee required under 37 C.F.R. §1.17(c) for filing the Appeal Brief to our Deposit Account No. 050877.

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September 6, 2007   Paul R. Katterle
Date   Name

APPEAL BRIEF

I. Real Party in Interest

The real party in interest is ABB Inc.

II. Related Appeals and Interferences

None.

III. Status of Claims

Claims 1-76 are currently pending in the application. Claims 1-76 have been finally rejected and form the basis for this appeal. The Claims Appendix (Section VIII) includes a clean copy of appealed claims 1-76.

In summary, the current status of the claims is as follows:

Claims 1-76 are pending and have been finally rejected; and

Claims 1-76 are appealed.

IV. Status of Amendments

No amendment has been filed subsequent to the final rejection.

V. Summary of Claimed Subject Matter

For the convenience of the Board, a copy of Figs. 1a, 1d, 2a and 3a from the subject application are enclosed herewith. In the summary below, references to page, paragraph and line numbers are with regard to the specification of the subject application, as filed.

Independent claim 1 is directed to a method for satisfying a timer function according to requirements of a customer. In accordance with the method, a programmable timer module 12 and a program builder system 14 are provided (see page 7, lines 8-11). The programmable timer module 12 has a power supply circuit unit 30, an output circuit unit 34, and a timer processor system 40 including a memory for storing a timer module program (see page 7, lines 29-32

through page 8, line 1). The programmable timer module 12 is distributed to the customer, wherein the programmable timer module 12 is in either an unprogrammed or reprogrammable state (see Fig. 1d and page 45, lines 2-7). At least a part of the program builder system 14 is maintained at a supplier's place of business 70 (see Fig. 1d and page 45, lines 2-7). A model number data page 16 is made available to a customer at a customer's place of business 72 (see Fig. 1d and page 45, lines 7-10). The model number data page 16 includes a plurality of timer model numbers correlated with information pertaining to each model number (see Fig. 3a and page 26, lines 14-24). A model number request is received from a customer at the supplier's place of business 70, the model number request being made in accordance with the information of the model number data page (see Fig. 1d and page 45, lines 7-10). The timer program code is built at the supplier's place of business 70 using the program builder system 14 based on the model number request (see Fig. 1d; page 30, lines 3-9; page 39, lines 19-32; page 40, lines 1-20; and page 45, lines 7-12). The program code is transmitted to the customer's place of business 72 and is loaded into the timer module 12 (see Fig. 1d and page 45, lines 12-17).

Independent claim 8 is directed to a method for satisfying a timer function. In accordance with the method, a programmable timer module 12 is made and distributed to a customer (see Figs. 1d and 2a; page 7, lines 28-32; page 8, lines 1-17; and page 45, lines 2-7). A program builder system 14 is established and at least part of the builder system 14 is maintained at a supplier's place of business (see Fig. 1d and page 45, lines 2-7). A model number data page 16 is provided and made available to the customer (see Fig. 1d and page 45, lines 7-10). A model number request is received from the customer at the supplier's place of business 70 (see Fig. 1d and page 45, lines 7-10). Timer program code is built at the supplier's place of business 70 using the program builder system 14 (see Fig. 1d and page 45, lines 7-12). The program code is transmitted to the customer (see Fig. 1d and page 45, lines 12-15).

Independent claim 15 is directed to a programmable timer module system 10 that includes a programmable timer module 12 and a model number data page 16 correlating timer model numbers with information pertaining to each model number (See Fig. 1a; Fig. 3a; page 7, lines 8-11; and page 26, lines 14-24). The programmable timer module system 10 also includes a program builder system 14 responsive to timer model number inputs, wherein the program builder 14 builds timer program code based on which of a model number input is input into the program builder system 14 (see page 7, lines 8-11, page 30, lines 3-9; page 39, lines 19-32 and page 40, lines 1-20). A communication link 20 between the programmable timer module 12 and the program builder system 14 allows the program code, built by the program builder system 14, to be loaded into the programmable timer module 12 (see Fig. 1a and page 7, lines 21-27).

Independent claim 27 is directed to a method for establishing a timing function according to needs of a customer. In accordance with the method, a timer module 12 is provided, a timer program builder system 14 is created and a model number data page 16 is created (see Fig. 1a and page 7, lines 8-11). At least the model number data page 16 is made available to a customer (see page 27, lines 17-32; and page 28, lines 1-3). A model number request is received from the customer, and timer program code is built in accordance with the request using the timer program builder system 14. The program code is transmitted to the customer, and the program code is loaded into the module 12 (see page 44, lines 10-26; and page 45, lines 2-17).

Independent claim 32 is directed to a timer module system 10 for establishing timing characteristics of a timer. The system 10 includes a timer module circuit 12 having a power supply 30 for converting a line voltage into DC voltage, an output control circuit 34, and a timer processor system 40 in communication with the power supply 30 and the output control unit 34 (See Fig. 2a; page 7, lines 28-32; and page 8, lines 1-17). The timer processor system 40 has a program memory. The system 10 also includes a program builder system 14 in communication with the timer module circuit for building timer program code (see page 7, lines 16-21).

Independent claim 49 is directed to a method for satisfying a timer function according to requirements of a customer. In accordance with the method, a programmable timer module 12 and a program builder system 14 are provided (see page 7, lines 8-11). The programmable timer module 12 has a power supply circuit unit 30, an output circuit unit 34, and a timer processor system 40 including a memory for storing a timer module program (See Fig. 2a; page 7, lines 28-32; and page 8, lines 1-17). At least a part of the program builder system 14 and the timer module 12 are maintained at a supplier's place of business 70 (see page 44, lines 10-32; and page 45, lines 1-17). A model number data page 16 is made available to a customer at a customer's place of business 72 (see page 44, lines 17-20). The model number data page 16 includes a plurality of timer model numbers correlated with information pertaining to each model number (see Fig. 3a and page 26, lines 14-24). A model number request is received from a customer at the supplier's place of business 70, the model number request being made in accordance with the information of the model number data page 16 (see page 44, lines 20-26). A timer operating program code is built at the supplier's place of business 70 using the program builder system 14 based on the model number request (see page 44, lines 20-26). The program code is loaded into the timer module while the module is at the supplier's place of business 70, and then the timer module is distributed to the customer (see page 44, lines 20-26).

Independent claim 57 is directed to a method for satisfying a timer function. The method includes making a programmable timer module 12 and establishing a program builder system 14 (see page 7, lines 8-11). At least part of the builder system 14 is maintained at a supplier's place of business 70 (see page 44, lines 10-32; and page 45, lines 1-17). A model number data page 16 is provided and made available to the customer (see page 44, lines 17-20). A model number request is received from the customer at the supplier's place of business 70 (see page 44, lines 20-26). A timer program code is built at the supplier's place of business 70 using the timer builder system 14 (see page 44, lines 20-26). At the supplier's place of business 70, the program code is loaded

Page 5 of 26

into the timer module 12 (see page 44, lines 20-26).

Independent claim 68 is directed to a method for establishing a timing function according to needs of a customer. The method includes providing a timer module 12, creating a timer program builder system 14 and creating a model number data page 16 (see page 7, lines 8-11). At least the model number data page 16 is made available to a customer (see page 27, lines 17-32; and page 28, lines 1-3). As set forth on page 44, lines 10-32, and on page 45, lines 2-17, a model number request is received from the customer, timer program code is built in accordance with the request using the timer program builder system 14, and the program code is loaded into the module 12.

VI. Grounds of Rejection to be Reviewed on Appeal

The grounds of rejection to be reviewed on appeal are:

whether claims 1-76 are unpatentable under 35 U.S.C. §103(a) over U.S. Patent No. 6,411,943 to Crawford (hereinafter the Crawford Patent).

VII. Argument

Claims 1-76 are not obvious under 35 U.S.C. §103(a) in light of the Crawford Patent.

Applicant submits that claims 1-76 are not obvious under 35 U.S.C. §103(a) in light of the Crawford Patent because for each independent claim, the Crawford Patent fails to show or suggest most, if not all, of the limitations. These deficiencies will be discussed in more detail below. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

The Crawford Patent does not disclose anything remotely similar to the present invention. The Crawford Patent does not relate to the production of a physical device, let alone to the production of a timer module. In this regard, it should be noted that a timer module (as is described in detail in the specification)

is a physical device and not *"merely software"* as asserted by the Examiner in the Office actions.

The Examiner has acknowledged that the Crawford Patent fails to disclose a timer module. Specifically, the Examiner states that: *"The examiner agrees that the applied prior art does not teach the method exactly, (i.e., does not sell timer modules), however, applicant is not claiming the timer module, merely the method of selling the module."* With regard to this statement, Applicant, makes the following observations:

- Not all of the claims are method claims; some of the claims are apparatus claims;

- None of the claims are directed to a method of selling timer modules;

- Every claim does indeed recite a timer module or a timer module circuit in some form, such as: *"providing a programmable timer module"* (independent claims 1 and 49), *"making a programmable timer module"* (independent claims 8 and 57), *"a programmable timer module"* (independent claim 15), *"providing a timer module"* (independent claim 27), *"a timer module circuit"* (independent claim 32) and *"providing a timer module"* (independent claim 68).

Thus, by the Examiner's own admission, the Crawford Patent fails to disclose the limitations of independent claims 1, 8, 15, 27, 32, 49, 57 and 68 recited in the third bullet point above. For at least this reason alone, Applicant submits that the Examiner has failed to establish a prima facie case of obvious of claims 1-76 over the Crawford Patent.

The Crawford Patent is directed to an on-line service system 100 for providing software and computing services to a customer computer 50. The services include providing software through sale or lease to the customer

computer 50 and storing files from the customer computer 50. The Crawford Patent does <u>not</u> disclose generating software, let alone generating software for a timer module using a model number requested by a customer. Thus, contrary to the Examiner's assertion, the Crawford Patent does not disclose a "*program builder system*". The Crawford Patent also does not disclose "*a model number data page*". The passage cited by the Examiner as showing such a feature (col 40, line 66 to col 41, line 6) merely discloses a request for data that is used to establish a connection between the customer computer 50 and a replica computer 160.

Since the Crawford Patent is so far removed from the present invention, the Crawford Patent manifestly fails to even remotely suggest most, if not all, of the limitations of the pending claims. For example, the Crawford Patent fails to show or suggest any of the limitations of the claims that pertain to the provision or use of a timer module (as admitted by the Examiner), as well as any of the limitations of the claims that pertain to a program builder system or a model number data page. A list of some of the more prominent missing limitations is set forth below.

(a.) Independent Claim 1.
The Crawford Patent fails to show or suggest, inter alia:

> "*providing a programmable timer module having a power supply circuit unit, an output circuit unit, and a timer processor system including a memory for storing a timer module program;*"

> "*providing a program builder system;*"

> "*building timer program code at said supplier's place of business using said program builder system based on said model number request*";

"loading said program code into said timer module"

(b.) Independent Claim 8.

The Crawford Patent fails to show or suggest, inter alia:

"making a programmable timer module;"

"establishing a program builder system, and maintaining at least part of said builder system at a supplier's place of business;"

"building timer program code at said supplier's place of business using said program builder system;"

(c.) Independent Claim 15.

The Crawford Patent fails to show or suggest, inter alia:

"a programmable timer module;"

"a model number data page correlating timer model numbers with information pertaining to each model number;"

"a program builder system responsive to timer model number inputs, wherein said program builder builds timer program code based on which of a model number input is input into said program builder system;"

(d.) Independent Claim 27.

The Crawford Patent fails to show or suggest, inter alia:

"providing a timer module;"

"creating a timer program builder system;"

Page 9 of 26

"building timer program code in accordance with said request using said timer program builder system;"

"loading said program code into said module."

(e.) Independent Claim 32.

The Crawford Patent fails to show or suggest, inter alia:

"a timer module circuit including
   a power supply for converting a line voltage into DC voltage;
an output control circuit; and
   a timer processor system in communication with said power supply and said output control unit, said timer processor system having a program memory;"

"a program builder system in communication with said timer module circuit for building timer program code"

(f.) Independent Claim 49.

The Crawford Patent fails to show or suggest, inter alia:
   "providing a programmable timer module having a power supply circuit unit, an output circuit unit, and a timer processor system including a memory for storing a timer module program;"

"providing a program builder system;"

"maintaining at least a part of said program builder system and said timer module at a supplier's place of business;"

"making available a model number data page to a customer at a customer's place of business, said model number data page including a plurality of timer model numbers correlated with information pertaining to each model number;"

"building a timer operating program code at said supplier's place of business using said program builder system based on said model number request;"

"loading said program code into said timer module while said module is at said supplier's place of business;"

(g.) Independent Claim 57.

The Crawford Patent fails to show or suggest, inter alia:

"making a programmable timer module;"

"establishing a program builder system, and maintaining at least part of said builder system at a supplier's place of business;"

"building a timer program code at said supplier's place of business using said timer builder system;"

"at said supplier's place of business, loading said program code into said timer module."

(h.) Independent Claim 68.

The Crawford Patent fails to show or suggest, inter alia:

"providing a timer module;"

"creating a timer program builder system;"

"building timer program code in accordance with said request using said timer program builder system;"

"loading said program code into said module"

For at least the reasons set forth above, Applicant submits that independent claims 1, 8, 15, 27, 32, 49, 57and 68 and, thus, dependent claims 2-7, 9-14, 16-26, 28-31, 33-48, 50-56, 58-67 and 69-76 are not obvious under 35 U.S.C. §103(a) in light of the Crawford Patent.

Conclusion

Favorable consideration of this appeal, and reversal of the rejection of claims 1-76 is respectfully requested.

Respectfully submitted,

ABB Inc.

By: _____
Paul R. Katterle, Reg. No. 36563

September 6, 2007

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VIII. Claims Appendix

Copy of Claims on Appeal

1. A method for satisfying a timer function according to requirements of a customer, said method comprising the steps of:

providing a programmable timer module having a power supply circuit unit, an output circuit unit, and a timer processor system including a memory for storing a timer module program;

providing a program builder system;

distributing said programmable timer module to said customer, wherein said module is in either an unprogrammed or reprogrammable state;

maintaining at least a part of said program builder system at a supplier's place of business;

making available a model number data page to a customer at a customer's place of business, said model number data page including a plurality of timer model numbers correlated with information pertaining to each model number;

receiving a model number request from a customer at said supplier's place of business, said model number request being made in accordance with said information of said model number data page;

building timer program code at said supplier's place of business using said program builder system based on said model number request;

transmitting said program code to said customer's place of business; and

loading said program code into said timer module.

2. The method of claim 1, wherein said transmitting step includes the step of sending said program code to said customer via a network communication link.

3. The method of claim 1, wherein said program builder system includes

a personal computer.

4. The method of claim 1, wherein said program builder system includes a first personal computer positioned at a supplier's place of business, for use in building said timer program, and a second personal computer at said customer's place of business for use in transmitting said program to said timer module.

5. The method of claim 1, wherein said making available step includes the step of electronically displaying said page on a display.

6. The method of claim 1, wherein said making available step includes the step of printing said page on a paper substrate.

7. The method of claim 1, wherein said transmitting and said loading steps are executed simultaneously.

8. A method for satisfying a timer function, said method comprising the steps of:
   making a programmable timer module;
   distributing said timer module to a customer;
   establishing a program builder system, and maintaining at least part of said builder system at a supplier's place of business;
   providing a model number data page;
   making available said model number data page to said customer;
   receiving a model number request from said customer at said supplier's place of business;
   building timer program code at said supplier's place of business using said program builder system; and
   transmitting said program code to said customer.

9. The method of claim 8, wherein said making of said timer module step

includes the step of including an initiate circuit in said timer module.

10. The method of claim 8, wherein said making step includes the step of including a power supply circuit unit in said timer module.

11. The method of claim 8, wherein said making step includes the step of including a output circuit unit in said timer module.

12. The methods of claim 8, wherein said program builder system comprises a personal computer.

13. The method of claim 8, wherein said program builder system comprises an in-circuit device programmer.

14. The method of claim 8, wherein said program builder system comprises an emulator.

15. A programmable timer module system comprising:
a programmable timer module;
a model number data page correlating timer model numbers with information pertaining to each model number;
a program builder system responsive to timer model number inputs, wherein said program builder builds timer program code based on which of a model number input is input into said program builder system; and
a communication link between said programmable timer module and said program builder system, allowing said program code, built by said program builder system, to be loaded into said programmable timer module.

16. The system of claim 15, wherein said timer module comprises:
a timer processor system;
an output unit; and

Page 15 of 26

a resistance-varying adjustment mechanism in communication with said processor system.

17. The system of claim 16, wherein at least a part of said model number data page is electronically displayed.

18. The system of claim 17, wherein at least a part of said data page is accessible by accessing a supplier's website.

19. The system of claim 16, wherein said timer module includes an initiate circuit unit, a contact circuit unit, and a power supply circuit unit incorporated in a single housing.

20. The system of claim 16, wherein said model number data page is established so that at least one character of a model number selectable using said model number data page designates an operating parameter of said timer module.

21. The system of claim 15, further comprising a parameter reader unit, adapted for communication with said module, wherein said parameter reader unit includes a display, wherein said reader unit is adapted to display a parameter of said module.

22. The system of claim 15, further comprising a reader module having a display, adapted for communication with said timer module, said reader module adapted to display at least one of a reprogramming status or function of said timer module.

23. The system of claim 15, wherein said program builder system is adapted to parse out characters from said model number input.

24.   The system of claim 15, wherein said program builder system is adapted to receive said model number input information via a plurality of different input windows.

25.   The system of claim 15, wherein said program builder system is switchable between a first mode, wherein said program builder system builds a timer operating program automatically based on model number input data, and a second mode wherein said program builder system allows custom-building of said timer operating program.

26.   The system of claim 15, wherein said program builder system is adapted to build a timer operating program which comprises a plurality of subfunction code segments, and a subfunction ordering table.

27.   A method for establishing a timing function according to needs of a customer, said method comprising the steps of:
    providing a timer module;
    creating a timer program builder system;
    creating a model number data page;
    making available at least said model number data page to a customer;
    receiving a model number request from said customer;
    building timer program code in accordance with said request using said timer program builder system;
    transmitting said program code to said customer; and
    loading said program code into said module.

28.   The method of claim 27, wherein said timer module includes a resistance-varying mechanical adjustment mechanism for use in manually adjusting a time delay.

29.   The method of claim 27, wherein said transmission step includes the

step of transmitting said program code to said customer via a computer network link.

30. The method of claim 27, wherein said transmitting step includes the step of shipping a transportable storage medium storing said program code to said customer.

31. The method of claim 27, wherein said timer module includes hardware components enabling said timer module to operate as at least one of a delay on make, delay on break, single shot, interval, or recycling timer depending on instructions of said built program code.

32. A timer module system for establishing timing characteristics of a timer, said system comprising:

a timer module circuit including

a power supply for converting a line voltage into DC voltage;
an output control circuit; and

a timer processor system in communication with said power supply and said output control unit, said timer processor system having a program memory; and

a program builder system in communication with said timer module circuit for building timer program code.

33. The system of claim 32, further comprising a model number data page correlating timer model numbers with information pertaining to each model number.

34. The system of claim 32, wherein said timer module circuit further comprises an initiate circuit unit, an output circuit unit, and a resistance varying adjustment mechanism.

35. The system of claim 32, wherein at least a portion of said program builder system is positioned in a place of business of a customer.

36. The system of claim 32, wherein said module is adapted to provide a plurality of time delays.

37. The system of claim 32, further comprising a reader unit having a dedicated reader unit housing and a display, said reader unit housing being adapted for breakable communication with said timer module, said reader unit adapted for communication with said output circuit of said module, and being adapted to be responsive to said output circuit to display on said display time delay of said module.

38. The system of claim 32, further comprising a reader module having a display adapted for breakable communication with said program memory, said reader module adapted to read program information from said program memory and being further adapted to display at least one of the reprogramming status, an operating parameter, or a function of said timer module.

39. The system of claim 32, wherein said code built by said builder system adjusts a timer range of said timer module.

40. The system of claim 32, wherein said code built by said builder system adjusts an increment of said timer module.

41. The system of claim 32, wherein said code built by said builder system adjusts an increment and a timer range of said timer module.

42. The system of claim 15, wherein said code adjusts a range of said timer module.

Page 19 of 26

43. The system of claim 15, wherein said code adjusts an increment of said timer module.

44. The system of claim 15, wherein said code adjusts a range and an increment of said timer module.

45. The method of claim 27, wherein said code adjusts a range of said timer module.

46. The method of claim 27, wherein said code adjusts an increment of said timer module.

47. The method of claim 27, wherein said code adjusts a range and an increment of said timer module.

48. The method of claim 27, wherein said timer module includes hardware components enabling said timer module to operate as any one of a delay on make, delay on break, single shot, interval, or recycling timer depending on instructions of said built program code.

49. A method for satisfying a timer function according to requirements of a customer, said method comprising the steps of:
    providing a programmable timer module having a power supply circuit unit, an output circuit unit, and a timer processor system including a memory for storing a timer module program;
    providing a program builder system;
    maintaining at least a part of said program builder system and said timer module at a supplier's place of business;
    making available a model number data page to a customer at a customer's place of business, said model number data page including a plurality

Page 20 of 26

of timer model numbers correlated with information pertaining to each model number;

receiving a model number request from a customer at said supplier's place of business, said model number request being made in accordance with said information of said model number data page;

building a timer operating program code at said supplier's place of business using said program builder system based on said model number request;

loading said program code into said timer module while said module is at said supplier's place of business; and

distributing said timer module to said customer.

50. The method of claim 49, wherein said program builder system includes a personal computer.

51. The method of claim 49, wherein said making available step includes the step of electronically displaying said page on a display.

52. The method of claim 49, wherein said making available step includes the step of printing said page on a paper substrate.

53. The method of claim 49, wherein said program code changes a range setting of said timer module.

54. The method of claim 49, wherein said program code changes an increment setting of said timer module.

55. The method of claim 49, wherein said program code changes an increment and a range of said timer module.

56. The method of claim 49, wherein said making available step includes

the step of making said data page accessible by accessing an internet website.

57. A method for satisfying a timer function, said method comprising the steps of:

making a programmable timer module;

establishing a program builder system, and maintaining at least part of said builder system at a supplier's place of business;

providing a model number data page;

making available said model number data page to said customer;

receiving a model number request from said customer at said supplier's place of business;

building a timer program code at said supplier's place of business using said timer builder system; and

at said supplier's place of business, loading said program code into said timer module.

58. The method of claim 57, wherein said making of said timer module step includes the step of including an initiate circuit in said timer module.

59. The method of claim 57, wherein said making step includes the step of including a power supply circuit unit in said timer module.

60. The method of claim 57, wherein said making step includes the step of including a output circuit unit in said timer module.

61. The method of claim 57, wherein said program builder system comprises a personal computer.

62. The method of claim 57, wherein said program builder system comprises an in-circuit device programmer.

63. The method of claim 57, wherein said program builder system comprises an emulator.

64. The method of claim 57, wherein said making available step includes the step of making said data page available by access to a website of said supplier.

65. The method of claim 57, wherein said program code changes a range setting of said timer module.

66. The method of claim 57, wherein said program code changes an increment setting of said timer module.

67. The method of claim 57, wherein said program code changes range setting and an increment setting of said timer module.

68. A method for establishing a timing function according to needs of a customer, said method comprising the steps of:
    providing a timer module;
    creating a timer program builder system;
    creating a model number data page;
    making available at least said model number data page to a customer;
    receiving a model number request from said customer;
    building timer program code in accordance with said request using said timer program builder system; and
    loading said program code into said module.

69. The method of claim 68, wherein said timer module includes a resistance-varying mechanical adjustment mechanism for use in manually

adjusting a time delay.

70. The method of claim 68, wherein said timer module includes hardware enabling said timer module to be configured as at least one of a delay on make, delay on break, single shot, interval, or recycling timer depending on instructions of said built program code.

71. The method of claim 68, wherein said timer module includes hardware enabling said timer module to be configured as any one of a delay on make, delay on break, single shot, interval, or recycling timer depending on instructions of said built program code.

72. The method of claim 68, wherein said making available step includes the step of making said model number data page accessible by access of an internet website.

73. The method of claim 68, wherein said making available step includes the step of electronically displaying said model number data page.

74. The method of claim 68, wherein said program code changes a range setting at said timer power.

75. The method of claim 68, wherein said program code changes an increment setting of said timer module.

76. The method of claim 68, wherein said program code changes both of an increment setting and a range setting of said timer module.

Page 24 of 26

IX. Evidence Appendix

-None-

X. <u>Related Proceedings Appendix</u>

-None-

FIG.1a

FIG.1d

FIG.2a

16-1
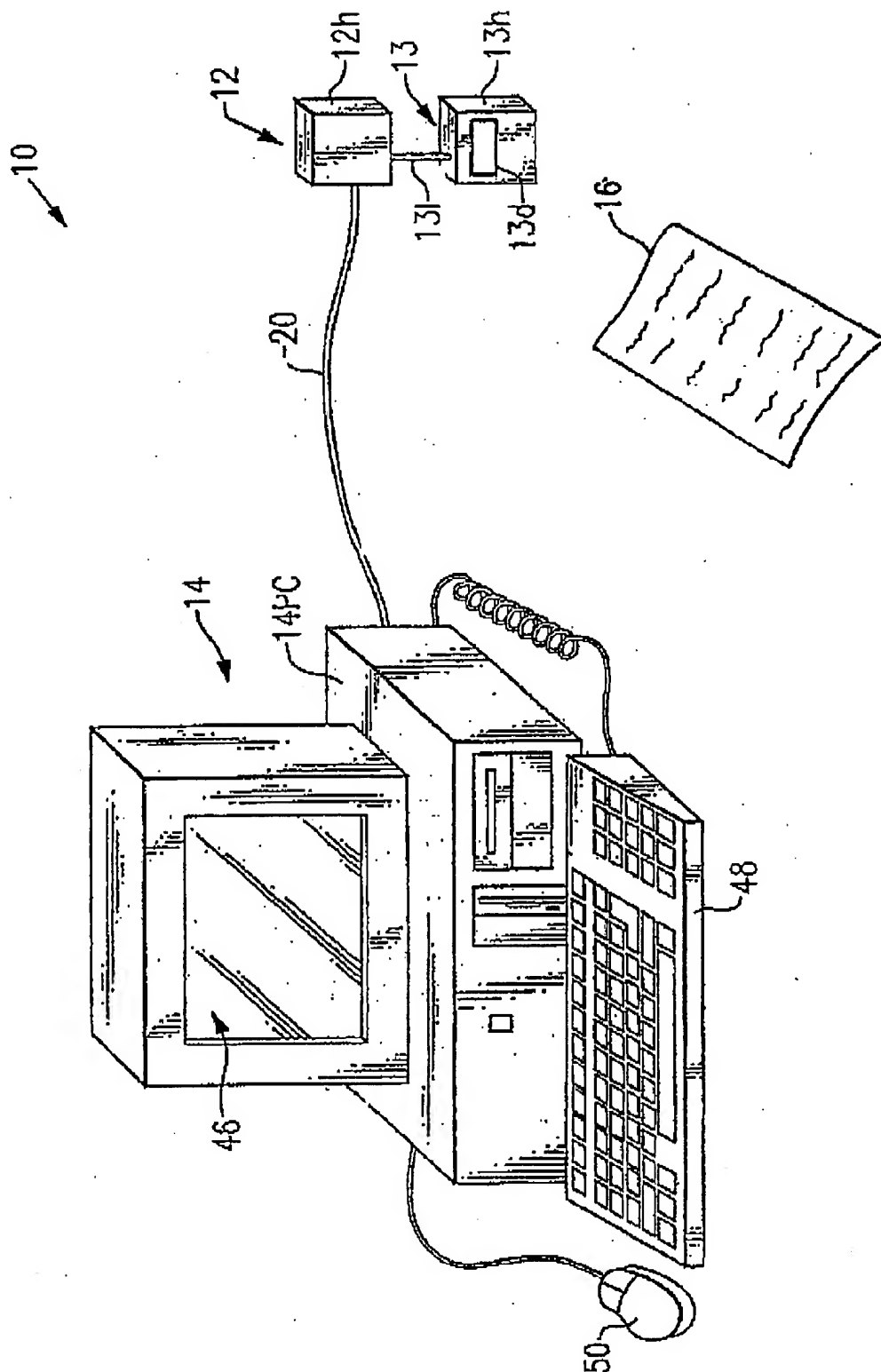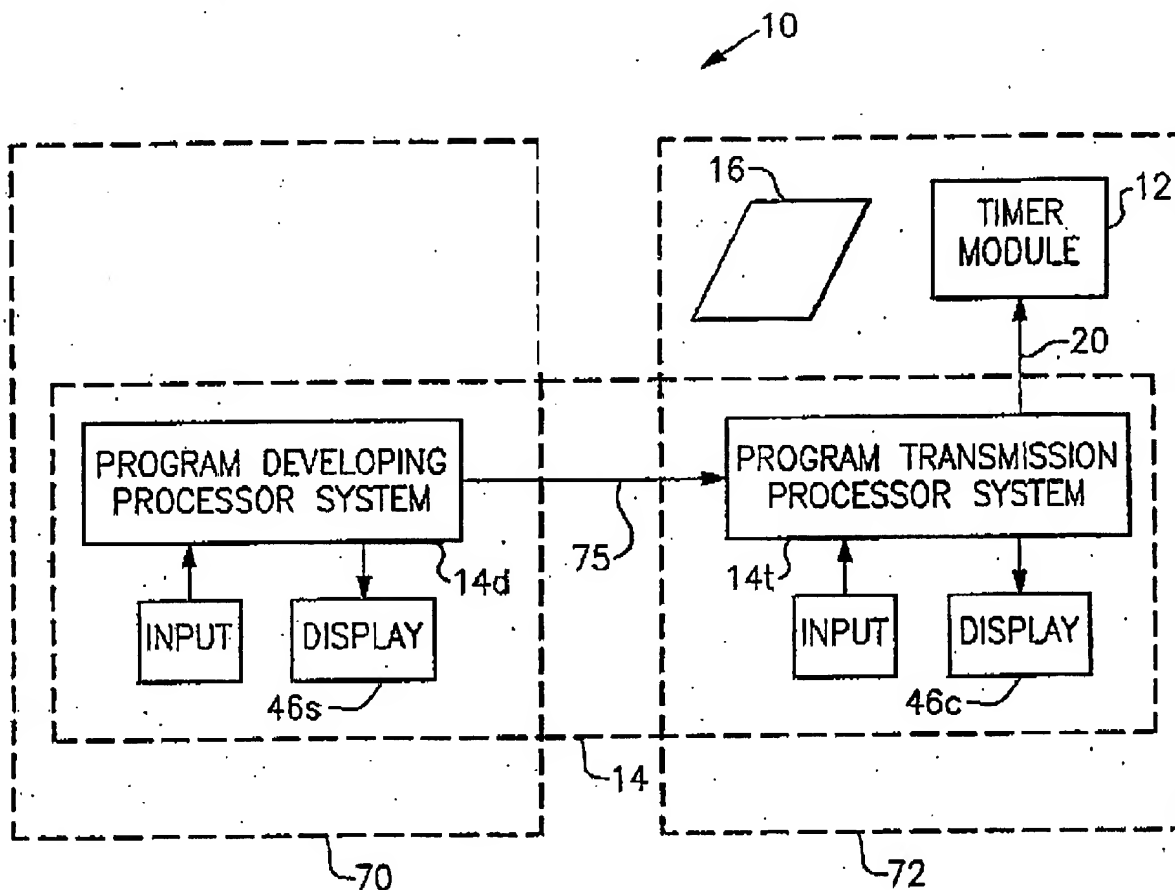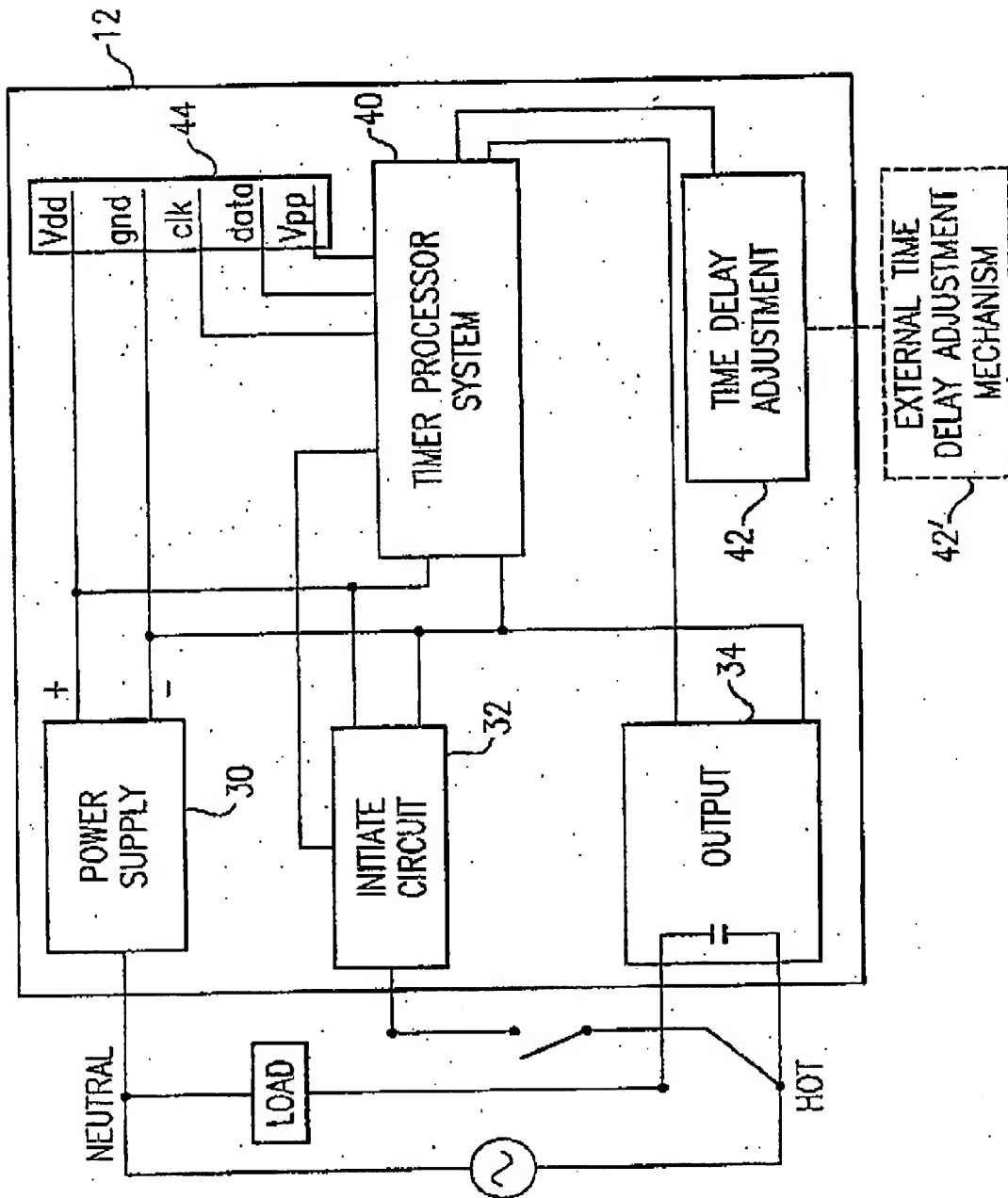
MODEL NUMBER	SUPPLY VOLTAGE	TIMER FUNCTION	TIME DELAY FUNCTION	FIXED TIME DELAY	TIMING RANGE
	56		58		
XXX	120VAC	DELAY ON MAKE	FIXED	10s	—
XXY	120VAC	DELAY ON MAKE	FIXED	20s	—
XXZ	120VAC	DELAY ON BREAK	FIXED	10s	—
YXX	230VAC	DELAY ON MAKE	FIXED	10s	—
YXY	230VAC	DELAY ON MAKE	FIXED	20s	—
YXZ	230VAC	DELAY ON BREAK	FIXED	10s	—
ZXX	120VAC	DELAY ON MAKE	ADJUSTABLE	—	0-10s
ZXY	120VAC	DELAY ON MAKE	ADJUSTABLE	—	0-20s
ZXZ	120VAC	DELAY ON BREAK	ADJUSTABLE	—	0-10s
XYX	230VAC	DELAY ON MAKE	ADJUSTABLE	—	0-10s
XYY	230VAC	DELAY ON MAKE	ADJUSTABLE	—	0-10s
XYZ	230VAC	DELAY ON BREAK	ADJUSTABLE	—	0-10s
	60	62	64	66	68

FIG.3a

<u>PATENT</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert A. Southworth et al.

Assignee :   ABB Inc.

Serial No.:   10/037,389   Art Unit: 3629

Filed: January 4, 2002   Confirmation No.: 7346

Title: Programmable Timer Module System

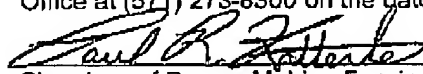Examiner: Michael J. Fisher   Docket No.: 647-015.01

APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

    In response to a Final Office action dated April 6, 2007 and pursuant to the Notice of Appeal filed on July 6, 2007, Applicant submits the following Appeal Brief. The date for filing the Appeal Brief expires on September 6, 2007. Please charge the $500 fee required under 37 C.F.R. §1.17(c) for filing the Appeal Brief to our Deposit Account No. 050877.

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300 on the date indicated below.

_____
Signature of Person Making Facsimile Transmission

September 6, 2007   Paul R. Katterle
Date   Name